



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/736,690

12/17/2003

Javier B. Arellano

P24306

4131

83619 7590 10/05/2009
AT & T LEGAL DEPARTMENT - GB
ATTN: PATENT DOCKETING
ROOM 2A- 207
ONE AT & T WAY
BEDMINSTER, NJ 07921

EXAMINER

PARKER, BRANDON

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

10/05/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/736,690	Applicant(s) ARELLANO ET AL.	
	Examiner BRANDON PARKER	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 13-17 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 13-17 and 25-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/24/2009 has been entered. Claims 1-5, 13-17 and 25-28 remain pending for examination.

Response to Arguments

Applicant's arguments with respect to claims 1-5, 13-17 and 25-28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 13-17 and 25-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US Patent 6029195 hereinafter "Herz") in view of Miller et al (US Patent 5,799,304 hereinafter "Miller")

Regarding claim 1, Herz discloses a method for dynamically creating and delivering interactive personalized content in an electronic environment "customized electronic

Art Unit: 2174

identification of desirable objects, such as news articles, in an electronic media environment, and in particular to a system that automatically constructs both a "target profile" for each target object in the electronic media based, for example, on the frequency with which each word appears in an article relative to its overall frequency of use in all articles, as well as a "target profile interest summary" for each user, which target profile interest summary describes the user's interest level in various types of target objects", Abstract

automatically sequencing and editing the context elements within the narrative framework in the first agent (Col. 2 lines 8-26, software agent, Col. 27 lines 36-40) based upon a profile of a user, to create a dynamically generated narrative (Col. 6 lines 1-15, Abstract)

Herz does not explicitly disclose providing a first agent with a **narrative framework which represents a story**, automatically modifying the dynamically generated narrative in a second agent based upon a particular delivery context of the plurality of delivery contexts to create **a modified story**, wherein the particular delivery context is associated with the second agent, or disclose rendering the modified story in the second agent in the particular delivery context for the presentation to the user.

However Herz does provide content elements, each content element comprising a plurality of types of representations having different media characteristics (i.e. various types of target objects, Abstract, in an electronic media environment, such as news articles Col. 1 lines 17-41) (i.e. which appear to be a story but does not specifically state

Art Unit: 2174

the term) and each content elements being modifiable to be rendered for a plurality of delivery context (Col. 2 lines 5-10, Col. 2 lines 38-67) and "a network-based agent that seeks out users of a network with common interests and dynamically creating bulletin boards"(Col. 80 lines 42-45, "Customization of the information delivery process to the user's 10 unique tastes and interests, Col. 2 lines 5-17); and "dynamically creating bulletin boards" (Claim 6,, network based agent, Claim 10).

Miller discloses "information which scans information, determines " agents" who match the information, generates values indicating the relevance of portions of that information to a user, and, based upon the values determined, presents portions of the information which is most relevant to a user", (Col. 1 lines 5-15), Note, Miller disclose first and second agent in Fig. 4, Fig. 9 , Fig. 10a and Fig. 15 and "determining of evaluation values for portions of the information includes allowing agents representing the user-relevant features to vote on the portions of the information. It further may include subtracting votes from the votes for each of the portions of the information to determine a difference, and dividing the difference by a number of the votes for each of the portions and against each of the portions of the information. Agents otherwise voting against an article may reverse polarity, that is, voting for the article if one of the user-relevant features occurs in the information more than an average number of times. The voting may also include allowing voting for certain of the agents which are statistically reliable. In this way, information processing itself may be made more reliable, because those agents which have not performed well in previous sessions can be prevented from voting in a current session", (feedback between agents", Col. 2 lines 20-51). Miller

Art Unit: 2174

also discloses "allow the mapping of given identified features to given agents. In short, the surrogate contains mappings of indices mapping articles to features, features to agents, and agents to articles. This short-term memory, or surrogate, is maintained for the duration of the session, and portions of it may be stored (such as the agent information), in the user profile for additional processing. The evaluator 850 references the surrogate class 800 and the agent objects themselves 840. The story list viewer 860 references the evaluator class 850 (i.e. a narrative framework which represents a story) to control the evaluation and learning process, and also references the surrogate class 800 for referencing eValues and recording user feedback. The story viewer 870 may be used by the story list viewer itself in order to display given stories from the story list", (a narrative framework which represents a story/story list) (Col. 7 lines 34-49) and "sorting and/or filtering of articles to the user in a story viewer or a story list viewer application program", i.e. (the modified story), (Col. 8 lines 61, 62), and Miller discloses rendering the modified story in the second agent in the particular delivery context for the presentation to the user "control the re-transmission of articles via electronic mail, fax, or other communications mechanism, either to the user or other destination (such as a second user). This application is particularly useful for remote access, group knowledge sharing, or urgent alerts via a remote pager" (Col. 9 lines 1-5, Fig. 1-4).

It would have been obvious to one skilled in the art at the time of invention to combine the media source-storyline, user profile, feedback, evaluation system as taught by Miller with the user profile article customization of Herz to effectively and efficiently provide an interactive personalized presentation of a story.

Art Unit: 2174

Claim 13 is similar in scope to claim 1 therefore the claim is rejected under similar rationale.

Regarding claim 2, Herz discloses further comprising updating the user profile based on a user interaction history “target profile interest summary describes the user's interest”, “the system then evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing of target objects most likely to be of interest to each user so that the user can select from among these potentially relevant target objects, which were automatically selected by this system from the plethora of target objects that are profiled “ Abstract

Claims 14 and 26 are similar in scope to claim 2 therefore the claims are rejected under similar rationale.

Regarding claim 3, Herz discloses in which the user profile is created by gathering data from the user, analyzing a history of the user, monitoring data related to the user, and detecting patterns and trends of the user a profile for the target object and the profiles of target objects for which the user (or a similar user) has provided positive feedback in the past (Col. 6 lines 40-43, profile, Col. 3 lines 1-10, 1103/1108, Fig. 10).

Claims 15 and 27 are similar in scope to claim 3 therefore the claims are rejected under similar rationale.

Regarding claim 4, Herz discloses in which the delivery context comprises a display area (“automatic display on the users screen” Col. 68 lines 15-21)

Claims 16 and 28 are similar in scope to claim 4 therefore the claims are rejected under similar rationale.

Art Unit: 2174

Regarding claim 5, Herz discloses in which the delivery context comprises a network (Abstract, Fig. 1, Fig. 2)

Claim 17 is similar in scope to claim 5 therefore the claim is rejected under similar rationale.

Regarding claim 25, Herz discloses a method comprising: creating a dynamically generated narrative framework in the first agent by:

automatically changing the sequence of the content elements within the narrative framework based upon a profile of a user automatically editing the content elements based upon the profile; "customized electronic identification of desirable objects, such as news articles, in an electronic media environment, and in particular to a system that automatically constructs both a "target profile" for each target object in the electronic media based, for example, on the frequency with which each word appears in an article relative to its overall frequency of use in all articles, as well as a "target profile interest summary" for each user, which target profile interest summary describes the user's interest level in various types of target objects", Abstract

Herz does not explicitly disclose representing **a story** as a narrative framework in a first agent.

However Miller discloses representing a story as a narrative framework in a first agent, the narrative framework comprising content elements of different media types (Fig. 4, 840/Agent, Story Viewer/870, Story List Viewer/860, Fig. 8), creating a modified story in a second agent by automatically modifying the dynamically generated narrative

Art Unit: 2174

based upon a delivery context that is associated with the second agent "receiving feedback which modifies how future articles should be evaluated", Abstract, Claim 2, "the display of information, such as an article, wherein the user may provide feedback regarding the interest in that article", Fig. 12

rendering the modified story in the second agent in the delivery context for presentation to the user""information which scans information, determines " agents" who match the information, generates values indicating the relevance of portions of that information to a user, and, based upon the values determined, presents portions of the information which is most relevant to a user", (Col. 1 lines 5-15, Fig. 12), Note, Miller disclose first and second agent in Fig. 4, Fig. 9 , Fig. 10a and Fig. 15

Furthermore Miller discloses "determining of evaluation values for portions of the information includes allowing agents representing the user-relevant features to vote on the portions of the information. It further may include subtracting votes from the votes for each of the portions of the information to determine a difference, and dividing the difference by a number of the votes for each of the portions and against each of the portions of the information. Agents otherwise voting against an article may reverse polarity, that is, voting for the article if one of the user-relevant features occurs in the information more than an average number of times. The voting may also include allowing voting for certain of the agents which are statistically reliable. In this way, information processing itself may be made more reliable, because those agents which have not performed well in previous sessions can be prevented from voting in a current session", (feedback between agents", Col. 2 lines 20-51).

Miller also discloses “allow the mapping of given identified features to given agents. In short, the surrogate contains mappings of indices mapping articles to features, features to agents, and agents to articles. This short-term memory, or surrogate, is maintained for the duration of the session, and portions of it may be stored (such as the agent information), in the user profile for additional processing. The evaluator 850 references the surrogate class 800 and the agent objects themselves 840. The story list viewer 860 references the evaluator class 850 (i.e. a narrative framework which represents a story) to control the evaluation and learning process, and also references the surrogate class 800 for referencing eValues and recording user feedback. The story viewer 870 may be used by the story list viewer itself in order to display given stories from the story list”, (a narrative framework which represents a story/story list) (Col. 7 lines 34-49) and “sorting and/or filtering of articles to the user in a story viewer or a story list viewer application program”, (Col. 8 lines 61, 62, Fig. 12), and

Miller discloses rendering the modified story in the second agent in the particular delivery context for the presentation to the user “control the re-transmission of articles via electronic mail, fax, or other communications mechanism, either to the user or other destination (such as a second user). This application is particularly useful for remote access, group knowledge sharing, or urgent alerts via a remote pager” (Col. 9 lines 1-5, Fig. 1-4)”

Miller discloses content elements of different media types (100, Fig. 4) and automatically changing the sequence (i.e. filtering) of the content elements within the narrative framework based upon a profile of a user” (160, user profile Fig. 4)

Art Unit: 2174

It would have been obvious to one skilled in the art at the time of invention to combine the media source-storyline, user profile, feedback, evaluation system as taught by Miller with the user profile article customization of Herz to effectively and efficiently provide an interactive personalized presentation of a story.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON PARKER whose telephone number is (571)270-1302. The examiner can normally be reached on Monday thru Friday 730- 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DENNIS-DOON CHOW/
Supervisory Patent Examiner, Art Unit 2174

Brandon Parker
Examiner
Art Unit 2174